

To the Members of the California State Assembly:

I am returning Assembly Bill 606 without my signature.

This bill mandates that the State Department of Education develop a “model” antidiscrimination policy that prohibits discrimination based on specified characteristics already in law. It also mandates school districts adopt this model in their district.

I have spent most of my life committed to fighting discrimination and teaching our children tolerance for all persons, irrespective of race, gender, nationality, ethnicity, religious creed, disability or sexual orientation. However well intentioned, this bill creates a new state mandate on schools at a time when our state currently owes almost half a billion dollars in unpaid mandates. Adding another unfunded state mandate to our school districts when we have not paid for existing mandates is irresponsible. The mandates still unfunded include earthquake emergency procedures, immunization programs, AIDS prevention programs, criminal background checks on school employees, removal and disposal of chemicals, administering and reporting standardized tests, among others.

Additionally the California Student Safety and Violence Prevention Act of 2000 already prohibits discrimination and harassment in California Public Schools. A task force created by the Department of Education to recommend ways to implement this Act released its report to school districts in 2001. On April 30, 2004, the Department of Education’s General Counsel issued a legal advisory to all county and district superintendents explaining the laws related to discrimination. According to this document, every local educational agency is required to have a policy against discrimination and harassment that applies to all the protected categories of students and a complaint procedure that enforces that policy.

It is the responsibility and obligation of the Department of Education to ensure that school districts are complying with this important law and I strongly encourage a zero tolerance for any violation of these prohibitions against discrimination and harassment in our schools.

For these reasons, I am unable to sign this measure.

Sincerely,

Arnold Schwarzenegger